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**Testimony on Assembly Bill 295  
(public access to voter registration identification numbers)**

**Senate Committee on Labor, Elections and Urban Affairs**

**Tuesday, January 8, 2008**

Thank you for holding this hearing today. We testify on Assembly Bill 295 for information only.

The official voter registration list is a public record open for public inspection subject only to specified statutory exceptions outlined in Wis. Stats. 6.36(1)(b). Those exceptions as currently written include the unique voter registration identification numbers for each registered voter. The law has been in effect for more than three years, and as recently as July 2006 the Elections Board was advising local elections officials of the confidentiality requirements of the law without expressing any concern about the way the law was written. It was not until the Elections Board discovered it could not find a way to comply with the voter privacy law and remove the confidential voter registration numbers without making its computerized system inoperative that concerns were raised about supposed flaws in the law. The subsequent drafting of this legislation is a means to obscure the larger and more important issue – the incompetence of the global outsourcing firm chosen by the Elections Board to create the Statewide Voter Registration System (SVRS).

The Board staff admitted back in 2006 that when utilizing the SVRS developed by Accenture it is always necessary to input the voter registration numbers to properly operate the software system and to complete such tasks as maintaining voter histories and complying with other requirements mandated by Wisconsin law and the HAVA. There are no methods for removing the numbers from the system that would keep the system operative when performing these necessary functions.

Accenture very recently settled with the Elections Board out of court regarding their failure to meet contractual obligations for the new system. Accenture developed a standardized software system which it intended to use in multiple states to create each state's voter file. Contrary to public statements and contract agreements, the company failed to customize the software system taking into account the specifics of Wisconsin's elections laws and needs. A statutory change allows the Board to further avoid addressing the system's inadequacies. After spending millions of dollars, the state has received from Accenture a legally and practically unworkable voter registration system. The Elections Board's preferred remedy to one aspect of this boondoggle is to change the law that neither Accenture nor the state has yet figured out a way to comply with. AB 295 serves no useful purpose to voters. Its only purpose is to cover up for the fact that Accenture couldn't program its way out of a paper bag and spare the Elections Board in its final days and then the Government Accountability Board from having to clean up Accenture's mess.

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**Senate Committee on Labor, Elections, and Urban Affairs**

Testimony of Kevin J. Kennedy  
Legal Counsel  
Government Accountability Board  
January 8, 2008

Chairman Coggs and Committee Members:

Thank you for the opportunity to appear before this committee and testify in favor of Assembly Bill 295, as Amended.

Wisconsin Act 265 enacted April 15, 2004 recreated Section 57.636 (1) (b), which designated the "registration identification number" as confidential and only accessible to election officials.

The registration identification number assigned by the SVRS application has no indicia of privacy. It is a management tool used to track voter records in the SVSR. The number meets the state and federal statutory requirements to assign a unique identification number to each voter. By itself, the number reveals no confidential information about an individual.

The number appears on various documents including poll lists and other lists requested by the public. Only an authorized SVRS user, with the required permissions assigned by the State Elections Board, may utilize this number if the user has access to the system. Currently, the State Elections Board staff and local election officials have to take extraordinary steps to redact this information from the distribution of public documents provided by SVRS.

It is important to have the number appear on documents that may be subject to public inspection because it permits the local election official to lookup the voter record without doing a search function in SVRS. It also enables local election officials who do not use scanning technology to update vote records more efficiently.

The Board would like to announce new functionality of the SVRS before the next election, and this 'confidential' designation is prohibiting us from releasing it. The new functionality is known as VPA, or Voter Public Access. VPA will allow you and your constituents to log onto the internet and determine whether they are in fact registered to vote, where their polling place is, which districts they live in and who the current office holders are, and, as required by HAVA, will be able to check whether their provisional ballot was counted for a particular election.

Unfortunately the screen that shows if the voter is registered contains this 'voter identification number.' We are unable to release this new productivity tool as long as the voter identification number is considered confidential.

The Amendment to this bill was requested by the County Clerks, who were not given access to any of the confidential information in the SVRS in the original legislation. Many of our county clerks have established formal contracts to provide the voter registration and election management services in the SVRS to smaller municipalities who may not have the staff or resources to maintain their own SVRS system. These are known as 'provider/reliar' relationships. We agree that this amendment is required for our County Clerks to continue to manage the elections within their 'provider/reliar' relationships.

As you know, we have a statewide Presidential Preference Primary election six weeks from today. I appreciate your prompt action on this bill and will answer any questions you may have at this time.

Thank you.

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